

## REMARKS

Claims 1 and 3 through 11 are pending in this Application. Claims 1, 5, 7 and 10 have been amended, and claim 2 cancelled. Care has been exercised to avoid the introduction of new matter. Indeed, adequate descriptive support for the present Amendment should be apparent throughout the originally filed disclosure, noting that the limitations of claim 2 have been incorporated into claim 1, claims 5 and 7 placed in independent form, and claim 10 made dependent upon claim 1. Applicant submits that the present Amendment does not generate any new matter issue.

**Claim 1 was rejected under 35 U.S.C. § 102 for lack of novelty as evidenced by Stamper.**

This rejection is traversed. Indeed, this rejection has been rendered moot by incorporating therein the limitations of claim 2, indicated allowable, into claim 1. Applicant, therefore, submits that the imposed rejection of claim 1 under 35 U.S.C. § 102 for lack of novelty as evidenced by Stamper is not viable and, hence, solicits withdrawal thereof.

**Claims 1 and 9 were rejected under 35 U.S.C. § 102 for lack of novelty as evidenced by Young.**

This rejection is traversed. Indeed, this rejection has been rendered moot by incorporating therein the limitations of claim 2, indicated allowable, into claim 1, claim 9 being dependent upon claim 1. Applicant, therefore, submits that the imposed rejection of claims 1 and 9 under 35 U.S.C. § 102 for lack of novelty as evidenced by Young is not viable and, hence, solicits withdrawal thereof.

**Claims 10 and 11 were rejected under 35 U.S.C. § 102 for lack of novelty as evidenced by Delpech et al.**

This rejection is traversed. Indeed, this rejection has been rendered moot by making claim 10 dependent upon claim 1 which, in turn, has been amended by incorporating therein the limitations of claim 2, indicated allowable. Claim 11 remains dependent upon claim 10.

Applicant, therefore, submits that the imposed rejection of claims 10 and 11 under 35 U.S.C. § 102 for lack of novelty as evidenced by Delpech et al. is not viable and, hence, solicits withdrawal thereof.

**Claim 9 was rejected under 35 U.S.C. § 103 for obviousness predicated upon Stamper in view of Delpech et al.**

This rejection is traversed. Indeed, this rejection has been rendered moot by amending claim 1, upon which claim 9 depends, by incorporating therein the limitations of claim 2, indicated allowable. Applicant, therefore, submits that the imposed rejection of claim 9 under 35 U.S.C. § 103 for obviousness predicated upon Stamper in view of Delpech et al. is not viable and, hence, solicits withdrawal thereof.

Applicants acknowledge, with appreciation, the Examiner's indication that claims 2 through 8 contain allowable subject matter. As previously indicated, the limitations of claim 2 have been incorporated into claim 1, claim 2 cancelled, and claims 5 and 7 placed in independent form. Claim 10 has been made dependent upon claim 1.

Based upon the foregoing it should be apparent that the imposed rejections have been overcome and that all active claims are in condition for immediate allowance. Favorable consideration is, therefore, solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

  
Arthur J. Steiner  
Registration No. 26,106

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
202.756.8000 AJS:bjs:ntb  
Facsimile: 202.756.8087  
**Date: September 8, 2004**